

REMARKS

Claims 1-18 are pending in the present application. Claims 6-9 and 14-17 have been withdrawn from consideration.

Claims 1, 5, and 10 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2, 3, and 11, respectively, of United States Patent No. 6,826,134 to Enokihara in view of either Japanese Patent Publication No. 63-161538 to Tomoaki, U.S. Patent No. 6,563,772 to Hong et al., or U.S. Patent No. 5,138,594 to Fennema et al.; claims 2 and 11 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2 and 11, respectively, of Enokihara in view of Tomoaki, Hong et al., Fennema et al., and further in view of U.S. Patent No. 6,633,520 to Song; claims 3 and 12 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2 and 11, respectively, of Enokihara in view of Tomoaki, Hong et al., and Fennema et al.; claims 18 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 11 of Enokihara in view of Tomoaki, Hong et al., Fennema et al., and Official Notice; and claims 4 and 13 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2 and 11, respectively, of Enokihara in view of Official Notice with respect to standard deviation practice and coarse-fine tracking abilities.

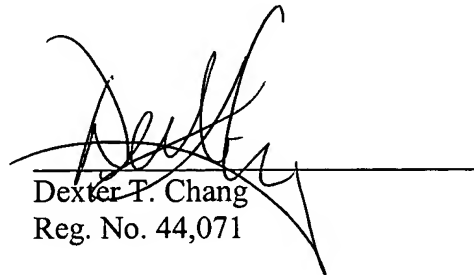
Applicant submits herewith a terminal disclaimer under 37 C.F.R. § 1.321(c) establishing that the present application and U.S. Patent No. 6,826,134 to Enokihara were commonly owned by the assignee at the time of invention, disclaiming any patent term for the present application that extends beyond the statutory term of U.S. Patent No. 6,826,134 to Enokihara, and agreeing

that any patent issuing on the present application will be enforceable only so long as it and U.S. Patent No. 6,826,134 to Enokihara remain commonly owned.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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